

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: CHAN, Eugene Y.	)	Examiner: MUMMERT, Stephanie Kane
	)	
Serial No.: 09/852,968	)	Group Art Unit: 1637
	)	
Filed: May 10, 2001	)	Atty. Dkt. No.: LT00184.2 DIV
	)	
For: METHODS AND PRODUCTS FOR	)	Confirmation No.: 5672
ANALYZING POLYMERS	)	

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**INFORMATION DISCLOSURE STATEMENT**

Via EFS-Web  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request entry and consideration of the instant Submission, which includes an Information Disclosure Statement submitted pursuant to 37 C.F.R. § 1.97 and § 1.98. Copies of the items cited in the attached Form PTO/SB/08 that are not United States Publications or Patents are submitted herewith. Applicants also take this opportunity to draw the Examiner's attention to the concurrent litigation filed by Helicos Biosciences Corp. against Pacific Biosciences of California, Inc., Illumina, Inc., and Life Technologies Corporation, Case No. 10-735-SLR in the District Court for the District of Delaware. The first three non-patent references in the attached form SB08 are filings from this litigation. The Examiner is requested to consider and make these documents of record.

This Information Disclosure Statement:

- ☐ (a) accompanies a new patent application submitted herewith.
- ☐ (b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- ☐ (c) as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- ☒ (d) as far as is known to the undersigned, is filed before the mailing date of a first

Office action after the filing of a request for continued examination under §1.114.

- ☐ (e) is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) **or** a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 50-3994 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement.
- ☐ (f) is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 50-3994 in the amount of \$180 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account.

The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items on Form PTO/SB/08 that are not United States Publications:

- ☒ are supplied herewith.

☐ are not supplied because they were previously cited by or submitted to the Office in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 USC §120.

The submission of this Information Disclosure Statement does not constitute an admission that a search was made, does not constitute an admission that any information cited is prior art, and does not constitute an admission that no other or better art exists.

Applicant submits that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and MPEP § 609 and respectfully requests that the Examiner consider the cited information and acknowledge such consideration with appropriate markings on Form PTO/SB/08.

In the event that any fees are due in connection with this application, the U.S. Patent and Trademark Office is hereby authorized to charge such fees to Deposit Account No. 50-3994. Any deficiency or overpayment should be charged or credited to this deposit account.

Respectfully submitted,

Date: December 15, 2010

/Nishita Doshi/

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